

PROCLAMATION

BY THE

Gouvernor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

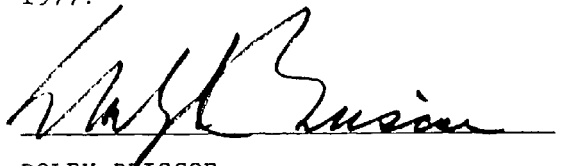
June 17, 1977

As provided under the provisions of Section 14, Article IV of the Constitution of the State of Texas, I disapprove of S.B. 1152 and am filing same with the Secretary of State setting forth the following objections:

I disapprove of Senate Bill 1152 because it would unnecessarily tamper with the law permitting a person to use force to protect himself or another from a violent attack. Present law on self-defense and defense of another is clear and precise and affords ample protection to a victim of an attack while discouraging unnecessary violence. Senate Bill 1152 would cause confusion about the law on the subject because it would give special evidentiary impact to a defendant's proof that his victim used or exhibited a deadly weapon in certain circumstances.

In cases in which the law proposed by the bill applies, it would negate the requirement of present law that the defendant reasonably believe the degree of force he uses is immediately necessary to repel the attack and that the defendant retreat, if possible, before using deadly force. If Senate Bill 1152 became law it would create confusion about the scope of the justifications for defending oneself or another and might expand the justifications needlessly, encouraging resort to violence.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the seal of the State of Texas to be affixed hereto at Austin, Texas, this 17th day of June, 1977.



DOLPH BRISCOE
Governor of Texas

MARK WHITE
Secretary of State